

REMARKS

A Supplemental Information Disclosure Statement is submitted herewith in accordance with 37 CFR §1.97(c)(2), together with the fee required by §1.17(p) and copies of all listed documents.

Also enclosed is the applicant's Declaration under Rule 132 with attachment, which will be referred to hereafter.

The original claims in this application have been amended to require that the chamber have a case mouth recess sized to receive a cartridge with a projectile of a specific diameter within a range from 0.22 to 0.30 inch, as described at page 10, lines 17-19 of the specification. In addition, new claims 22-39 are submitted herewith directed to the same embodiment as the original claims, i.e. the embodiment of FIG. 9, relying on corresponding limitations in terms of the cartridge.

The outstanding ground of rejection of the original claims is based on obviousness pursuant to 35 U.S.C. §103(a), relying on the 0.50-95 Winchester cartridge disclosed in Cartridges of the World in view of the applicant's Precision Reloading article of January, 1996. The 0.50-95 Winchester cartridge disclosure in Cartridges of the World describes a .50 caliber nineteenth century black powder cartridge of low propulsion energy (as shown by its indicated low muzzle

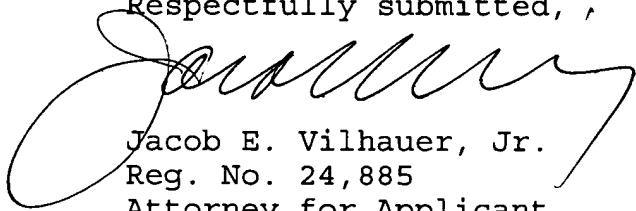
velocities) and low pressure (as indicated by the precaution advising users to "stick to black powder or low pressure smokeless loads"). The .50-95 Winchester cartridge, like other nineteenth century black powder cartridges, is capable of being used at internal gas pressures of no more than about 28,000 psi, as stated in paragraph 3 of applicant's enclosed Declaration under Rule 132 and further discussed on pages 498 and 499 of Principles and Practice of Loading Ammunition by Earl Naramore attached to applicant's Declaration. Accordingly, there would have been no point whatsoever for one having ordinary skill in the art to utilize a firearm chamber for the 0.50-95 Winchester cartridge capable of withstanding gas pressures of at least 65,000 psi as claimed herein, because the .50-95 Winchester cartridge cannot be used to generate pressures even remotely comparable to such a high pressure. Furnishing such a high-pressure firearm chamber for such a low-pressure cartridge would do nothing more than give a user a false sense of security if he were to load the .50-95 Winchester cartridge with a propellant sufficient to produce a higher pressure than that for which the cartridge was designed. Such a dangerous mismatch of firearm and cartridge would never be considered desirable from the point of view of one skilled in the art.

And even if the .50-95 cartridge could be modified to be used safely at higher pressures by the addition of extra metal, its propellant-holding volume is far too small to develop

enough energy for high-velocity performance compatible with the large mass of its .50 caliber bullet, which is outside the caliber range of all of the claims presented herein. Moreover, the addition of extra metal would even further reduce its propellant-holding volume.

Accordingly, both for safety and performance reasons, no one skilled in the art would be led or motivated to modify the .50-95 Winchester cartridge or its firearm in the manner suggested, and any obviousness of the original claims 1-21 or new claims 22-39 is therefore heavily rebutted.

Respectfully submitted, ,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on December 30, 2004.

Dated: 12/30/04



Jacob E. Vilhauer, Jr.

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